

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>RYAN KERWIN</b>	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>C.A. No. 05-93 Erie</b>
	)	<b>District Judge McLaughlin</b>
<b>LT. WILLIAM MCCONELL</b>	)	<b>Magistrate Judge Baxter</b>
<b>Defendant.</b>	)	

**ORDER**

AND NOW, this 28TH day of July, 2005;

IT IS HEREBY ORDERED that Plaintiff's motion for speedy disposition [Document # 20] be DENIED as Defendants have not yet filed an answer or dispositive motion.

IT IS FURTHER ORDERED that Plaintiff's motions for summary judgment [Documents # 12 and # 16] be DISMISSED as premature.

IT IS FURTHER ORDERED that Defendants have until August 18, 2005 to respond to the complaint. No further extensions of time will be granted without good cause shown.

IT IS FURTHER ORDERED that the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Local Rule 72.1.3 B. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

S/ Susan Paradise Baxter  
SUSAN PARADISE BAXTER  
CHIEF UNITED STATES MAGISTRATE JUDGE